

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LILLIAN IDA CLABOUGH,)
)
)
Plaintiff,)
)
)
v.) No. 3:19-cv-235
)
)
ANDREW SAUL, Commissioner) Judge Collier
of Social Security Administration,) Magistrate Judge Poplin
)
Defendant.)
)

M E M O R A N D U M

Before the Court are the parties' Joint Motion to for Entry of Judgment (Doc. 21) and Plaintiff's Motion for Summary Judgment (Doc. 17).

Pursuant to the power of this Court under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the joint motion to remand this action, the Court, upon substantive review, will **GRANT** the Joint Motion for Entry of Judgment (Doc. 21), and will **REMAND** this cause to the Commissioner according to the following terms. *See Shalala v. Schaefer*, 509 U.S. 292, 296 (1993).

On remand, the Appeals Council will direct a new administrative law judge ("ALJ") to further evaluate the opinion evidence consistent with 20 C.F.R. § 416.927; give further consideration to Plaintiff's residual functional capacity pursuant to Social Security Ruling 96-8p; and, if warranted, obtain supplemental vocational evidence. Further, the Appeals Council will direct the new ALJ to take further action to update the administrative record, offer Plaintiff the opportunity for a hearing, and issue a new decision.

Plaintiff's Motion for Summary Judgment (Doc. 17) will therefore be **DENIED AS MOOT.**

An appropriate order will enter.

/s/

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE